

CONDENSED

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
KITCHEN WINNERS NY INC.,

PLAINTIFF,

-against- CIVIL Action No.:  
22-cv-05276-PAE

ROCK FINTEK LLC,

DEFENDANT.

-----X  
ROCK FINTEK LLC,

COUNTERCLAIM and THIRD-PARTY PLAINTIFF,

-against-

KITCHEN WINNERS NY INC.,

COUNTERCLAIM DEFENDANT,

and

ADORAMA INC., HERSHEY WEINER, JOSEPH  
MENDLOWITZ, JNS CAPITAL HOLDINGS LLC and  
JOEL STERN,

THIRD-PARTY DEFENDANTS.

-----X

DATE: November 16, 2023

TIME: 2:07 p.m.

DEPOSITION of BRAD JAEGER

RAPID REPORTING LLC  
254 South Main Street, Suite 216  
New City, New York 10956  
(718) 310-0704

<p style="text-align: right;">Page 2</p> <p>1</p> <p>2</p> <p>3 DATE: November 16, 2023</p> <p>4 TIME: 2:07 p.m.</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10 VIDEOCONFERENCE DEPOSITION of BRAD</p> <p>11 JAEGER, a Non-Party Witness, pursuant to a</p> <p>12 subpoena, held remotely via Zoom, before</p> <p>13 Phyllis F. Russek, a Shorthand Reporter and</p> <p>14 Notary Public of the State of New York.</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 3</p> <p>1</p> <p>2 A P P E A R A N C E S:</p> <p>3 LIPSITUS-BENHAIM LAW, LLP</p> <p>4 Attorneys for the Plaintiff /</p> <p>5 Counterclaim Defendant</p> <p>6 KITCHEN WINNERS NY INC.</p> <p>7 80-02 Kew Gardens Road, Suite 1030</p> <p>8 Kew Gardens, New York 11415</p> <p>9 BY: ALEXANDER SPERBER, ESQ.</p> <p>10 POLLACK SOLOMON DUFFY, LLP</p> <p>11 Attorneys for the Defendant /</p> <p>12 Counterclaim and Third-Party Plaintiff</p> <p>13 ROCK FINTEK LLC</p> <p>14 31 St. James Avenue, Suite 940</p> <p>15 Boston, Massachusetts 02116</p> <p>16 BY: PHILLIP RAKHUNOV, ESQ.</p> <p>17 LAW OFFICE OF AVRAM E. FRISCH, ESQ.</p> <p>18 Attorneys for the Third-Party Defendants</p> <p>19 JMS CAPITAL HOLDINGS LLC and JOEL STERN</p> <p>20 1 University Plaza, Suite 119</p> <p>21 Hackensack, New Jersey 076011</p> <p>22 BY: AVRAM E. FRISCH, ESQ.</p> <p>23</p> <p>24</p> <p>25</p> <p>26</p> <p>27</p> <p>28</p> <p>29</p> <p>30</p> <p>31</p> <p>32</p> <p>33</p> <p>34</p> <p>35</p> <p>36</p> <p>37</p> <p>38</p> <p>39</p> <p>40</p> <p>41</p> <p>42</p> <p>43</p> <p>44</p> <p>45</p> <p>46</p> <p>47</p> <p>48</p> <p>49</p> <p>50</p> <p>51</p> <p>52</p> <p>53</p> <p>54</p> <p>55</p> <p>56</p> <p>57</p> <p>58</p> <p>59</p> <p>60</p> <p>61</p> <p>62</p> <p>63</p> <p>64</p> <p>65</p> <p>66</p> <p>67</p> <p>68</p> <p>69</p> <p>70</p> <p>71</p> <p>72</p> <p>73</p> <p>74</p> <p>75</p> <p>76</p> <p>77</p> <p>78</p> <p>79</p> <p>80</p> <p>81</p> <p>82</p> <p>83</p> <p>84</p> <p>85</p> <p>86</p> <p>87</p> <p>88</p> <p>89</p> <p>90</p> <p>91</p> <p>92</p> <p>93</p> <p>94</p> <p>95</p> <p>96</p> <p>97</p> <p>98</p> <p>99</p> <p>100</p> <p>101</p> <p>102</p> <p>103</p> <p>104</p> <p>105</p> <p>106</p> <p>107</p> <p>108</p> <p>109</p> <p>110</p> <p>111</p> <p>112</p> <p>113</p> <p>114</p> <p>115</p> <p>116</p> <p>117</p> <p>118</p> 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<p>847</p> <p>848</p> <p>849</p> <p>850</p> <p>851</p> <p>852</p> <p>853</p> <p>854</p> <p>855</p> <p>856</p> <p>857</p> <p>858</p> <p>859</p> <p>860</p> <p>861</p> <p>862</p> <p>863</p> <p>864</p> <p>865</p> <p>866</p> <p>867</p> <p>868</p> <p>869</p> <p>870</p> <p>871</p> <p>872</p> <p>873</p> <p>874</p> <p>875</p> <p>876</p> <p>877</p> <p>878</p> <p>879</p> <p>880</p> <p>881</p> <p>882</p> <p>883</p> <p>884</p> <p>885</p> <p>886</p> <p>887</p> <p>888</p> <p>889</p> <p>890</p> <p>891</p> <p>892</p> <p>893</p> <p>894</p> <p>895</p> <p>896</p> <p>897</p> <p>898</p> <p>899</p> <p>900</p> <p>901</p> <p>902</p> <p>903</p> <p>904</p> <p>905</p> <p>906</p> <p>907</p> <p>908</p> <p>909</p> <p>910</p> <p>911</p> <p>912</p> <p>913</p> <p>914</p> <p>915</p> <p>916</p> <p>917</p> <p>918</p> <p>919</p> <p>920</p> <p>921</p> <p>922</p> <p>923</p> <p>924</p> <p>925</p> <p>926</p> <p>927</p> <p>928</p> <p>929</p> <p>930</p> <p>931</p> <p>932</p> <p>933</p> <p>934</p> <p>935</p> <p>936</p> <p>937</p> <p>938</p> <p>939</p> <p>940</p> <p>941</p> <p>942</p> <p>943</p> <p>944</p> <p>945</p> <p>946</p> <p>947</p> <p>948</p> <p>949</p> <p>950</p> <p>951</p> <p>952</p> <p>953</p> <p>954</p> <p>955</p> <p>956</p> <p>957</p> <p>958</p> <p>959</p> <p>960</p> <p>961</p> <p>962</p> <p>963</p> <p>964</p> <p>965</p> <p>966</p> <p>967</p> <p>968</p> <p>969</p> <p>970</p> <p>971</p> <p>972</p> <p>973</p> <p>974</p> <p>975</p> <p>976</p> <p>977</p> <p>978</p> <p>979</p> <p>980</p> <p>981</p> <p>982</p> <p>983</p> <p>984</p> <p>985</p> <p>986</p> <p>987</p> <p>988</p> <p>989</p> <p>990</p> <p>991</p> <p>992</p> <p>993</p> <p>994</p> <p>995</p> <p>996</p> <p>997</p> <p>998</p> <p>999</p> <p>1000</p>
<p style="text-align: right;">Page 4</p> <p>1</p> <p>2 FEDERAL STIPULATIONS</p> <p>3</p> <p>4</p> <p>5 IT IS HEREBY STIPULATED AND AGREED by</p> <p>6 and between the counsel for the respective</p> <p>7 parties herein that the sealing, filing,</p> <p>8 and certification of the within deposition</p> <p>9 be waived; that the original of the</p> <p>10 deposition may be signed and sworn to by</p> <p>11 the witness before anyone authorized to</p> <p>12 administer an oath, with the same effect as</p> <p>13 if signed before a Judge of the Court; that</p> <p>14 an unsigned copy of the deposition may be</p> <p>15 used with the same force and effect as if</p> <p>16 signed by the witness, 30 days after</p> <p>17 service of the original and 1 copy of same</p> <p>18 upon counsel for the witness.</p> <p>19</p> <p>20 IT IS FURTHER STIPULATED AND AGREED</p> <p>21 that all objections, except as to form, are</p> <p>22 reserved to the time of trial.</p> <p>23</p> <p>24 * * * *</p> <p>25</p>	<p style="text-align: right;">Page 5</p> <p>1 JAEGER</p> <p>2 B R A D J A E G E R, called as a witness,</p> <p>3 having been first duly sworn, by a Notary</p> <p>4 Public of the State of New York, was</p> <p>5 examined and testified as follows:</p> <p>6 EXAMINATION BY</p> <p>7 MR. SPERBER:</p> <p>8 Q Please state your name for the</p> <p>9 record.</p> <p>10 A Brad Jaeger.</p> <p>11 Q What is your current address?</p> <p>12 A 3 Lakes Drive, Northfield,</p> <p>13 Illinois 60093.</p> <p>14 MR. SPERBER: David, are you</p> <p>15 going to ask for a read and sign?</p> <p>16 MR. OGLES: Yes. I think he</p> <p>17 should be able to.</p> <p>18 MR. SPERBER: What address</p> <p>19 should we send the transcript to?</p> <p>20 MR. OGLES: You can send it to</p> <p>21 me.</p> <p>22 MR. SPERBER: Okay. Then work</p> <p>23 address is fine as long as that's</p> <p>24 understood.</p> <p>25 Q Good afternoon, Mr. Jaeger. My</p>

<p style="text-align: right;">Page 6</p> <p>1           JAEGER</p> <p>2 name is Alexander Sperber. I'm one of the</p> <p>3 attorneys in this matter. I'm counsel for</p> <p>4 the plaintiff, Kitchen Winners of New York</p> <p>5 Inc., as well as the third-party</p> <p>6 defendants, Adorama, Inc. and Joseph</p> <p>7 Mendlowits.</p> <p>8           Have you ever been deposed</p> <p>9 before?</p> <p>10       A    I have not.</p> <p>11       Q    Okay. So let me just explain</p> <p>12 some of the basic ground rules so we're all</p> <p>13 clear.</p> <p>14           We have a court reporter here</p> <p>15 who's taking down everything that I say,</p> <p>16 everything that you say, everything that</p> <p>17 your attorney says and the other -- the</p> <p>18 other attorneys here say, and so it's just</p> <p>19 important that you and I do our best not to</p> <p>20 speak over one another so that the court</p> <p>21 reporter can get a clean transcript. Is</p> <p>22 that all right?</p> <p>23       A    Yup.</p> <p>24       Q    Okay. The next -- the next</p> <p>25 thing is just it's important that you make</p>	<p style="text-align: right;">Page 7</p> <p>1           JAEGER</p> <p>2 your responses verbal as opposed to shaking</p> <p>3 your head or nodding your head because the</p> <p>4 court reporter can only write down what you</p> <p>5 say and can't take down your physical</p> <p>6 actions. Is that all right?</p> <p>7       A    Yes.</p> <p>8       Q    Okay. If I ask you a question</p> <p>9 and you don't understand it, please let me</p> <p>10 know. If you don't tell me otherwise, I</p> <p>11 will assume that you understood the</p> <p>12 question. Is that all right?</p> <p>13       A    Yes, it is.</p> <p>14       Q    Okay. Do you understand that</p> <p>15 you are under the same oath today that you</p> <p>16 would be in as if you were in a courtroom?</p> <p>17       A    Yes, I am.</p> <p>18       Q    And do you understand that the</p> <p>19 testimony you give today is subject to the</p> <p>20 same penalties of perjury that you would be</p> <p>21 subject to as if you were in a courtroom?</p> <p>22       A    Yes, I am.</p> <p>23       Q    Are you on any medications or</p> <p>24 any substances or have any conditions that</p> <p>25 would prevent you from thinking clearly or</p>
<p style="text-align: right;">Page 8</p> <p>1           JAEGER</p> <p>2 speaking truthfully today?</p> <p>3       A    I am not.</p> <p>4       Q    Okay. Are you familiar with a</p> <p>5 company called --- called Medline</p> <p>6 Industries?</p> <p>7       A    Yes, I am.</p> <p>8       Q    Are you employed by Medline</p> <p>9 Industries?</p> <p>10       A    That is correct. Yes, I am.</p> <p>11       Q    Okay. And is it okay if I call</p> <p>12 that company just MedLine?</p> <p>13       A    That works, yes.</p> <p>14       Q    What is your position at</p> <p>15 MedLine?</p> <p>16       A    I am a senior manager of our</p> <p>17 supply chain optimization division.</p> <p>18       Q    And what are your job</p> <p>19 responsibilities in that position?</p> <p>20       A    I manage a small team that</p> <p>21 oversees our third party-logistics program</p> <p>22 amongst and some other final mile services</p> <p>23 for our customers.</p> <p>24       Q    Okay. And how long have you</p> <p>25 been working at MedLine?</p>	<p style="text-align: right;">Page 9</p> <p>1           JAEGER</p> <p>2       A    It will be 15 years this March.</p> <p>3       Q    Okay. So just to be clear, so</p> <p>4 you were working for MedLine during the</p> <p>5 COVID-19 pandemic?</p> <p>6       A    That is correct.</p> <p>7       Q    Okay. Was your job title</p> <p>8 different at that point in time?</p> <p>9       A    I believe so. I was just a</p> <p>10 manager and not a senior manager at that</p> <p>11 time.</p> <p>12       Q    Were your job responsibilities</p> <p>13 different at that point in time?</p> <p>14       A    Maybe slightly less</p> <p>15 responsibility.</p> <p>16       Q    Okay. And does MedLine have</p> <p>17 one location or multiple locations?</p> <p>18       A    MedLine has multiple locations</p> <p>19 for our corporate offices, for distribution</p> <p>20 centers, and for manufacturing locations.</p> <p>21       Q    Okay. And so in which office</p> <p>22 or offices or facilities do you work?</p> <p>23       A    I work at our headquarters in</p> <p>24 Northfield, Illinois.</p> <p>25       Q    I'm sorry. Could you repeat</p>



<p style="text-align: right;">Page 10</p> <p>1 JAEGER</p> <p>2 that?</p> <p>3 A Yes. I work at our</p> <p>4 headquarters in Northfield, Illinois, the</p> <p>5 address I gave earlier.</p> <p>6 Q Are you familiar with a company</p> <p>7 by the name of Ascension?</p> <p>8 A Yes, I am.</p> <p>9 Q Okay. Is Ascension a customer</p> <p>10 of MedLine?</p> <p>11 A Yes, they are.</p> <p>12 Q Are you familiar with the</p> <p>13 Resource Group?</p> <p>14 A Yes, I am.</p> <p>15 Q Okay. Are they also a customer</p> <p>16 of MedLine?</p> <p>17 A Yes, they are.</p> <p>18 Q Okay. Do you know, are</p> <p>19 Resource Group and Ascension, is there a</p> <p>20 relationship between the two of those?</p> <p>21 A My understanding, they're</p> <p>22 relatively the same -- same group.</p> <p>23 Q Got it. Okay. In your own</p> <p>24 capacity as manager or senior manager at</p> <p>25 MedLine, do you interact with either</p>	<p style="text-align: right;">Page 11</p> <p>1 JAEGER</p> <p>2 Ascension or Resource Group?</p> <p>3 A I occasionally will interact</p> <p>4 through e-mail with Ascension.</p> <p>5 Q And what kind of -- in a</p> <p>6 general manner, what kind of job activities</p> <p>7 do you perform in relation to either</p> <p>8 Ascension or Resource Group?</p> <p>9 A My team manages their</p> <p>10 third-party logistics program.</p> <p>11 Q Okay. And can you explain to</p> <p>12 me what you mean when you say a third-party</p> <p>13 logistics program?</p> <p>14 A Yes. That's where we receive,</p> <p>15 store, and ship our customers' own goods</p> <p>16 within our existing distribution network.</p> <p>17 Q Now, is your team the only team</p> <p>18 that does this on behalf of Ascension</p> <p>19 and/or the Resource Group or are there</p> <p>20 other teams as well?</p> <p>21 MR. OGLES: I object to form.</p> <p>22 You may answer.</p> <p>23 Do you mean are there other</p> <p>24 vendors that provide that service</p> <p>25 for Ascension?</p>
<p style="text-align: right;">Page 12</p> <p>1 JAEGER</p> <p>2 MR. SPERBER: No.</p> <p>3 Q What I'm saying is inside</p> <p>4 MedLine, are there other teams that perform</p> <p>5 -- that perform third-party logistics</p> <p>6 management services for Ascension or</p> <p>7 Resource Group?</p> <p>8 A No. That would just be my</p> <p>9 team.</p> <p>10 Q Got it. Okay. Now, among the</p> <p>11 items that MedLine is now holding or is</p> <p>12 holding at some point since the COVID-19</p> <p>13 pandemic, do those items include medical</p> <p>14 gloves?</p> <p>15 A Yes, they do.</p> <p>16 Q Now, have you heard of a</p> <p>17 company by the name of Rock Fintek LLC?</p> <p>18 A Yes, I have.</p> <p>19 Q So what is your understanding</p> <p>20 of, if any, the relationship between Rock</p> <p>21 Fintek LLC and either Ascension or Resource</p> <p>22 Group?</p> <p>23 MR. OGLES: And I'm going to</p> <p>24 object to this as outside the scope</p> <p>25 of the 30(b)(6) deposition. But if</p>	<p style="text-align: right;">Page 13</p> <p>1 JAEGER</p> <p>2 you have personal knowledge, please</p> <p>3 proceed.</p> <p>4 A I only know -- I only know the</p> <p>5 relationship as a vendor/customer</p> <p>6 relationship between the two parties. I</p> <p>7 don't have any other details really.</p> <p>8 Q Do you personally know what</p> <p>9 kind of goods Rock Fintek was delivering to</p> <p>10 Ascension or Resource Group?</p> <p>11 A Just the -- the gloves.</p> <p>12 Q Okay.</p> <p>13 A I don't know of anything else.</p> <p>14 Q And when you say "the gloves,"</p> <p>15 what are you referring to?</p> <p>16 A The MedCare gloves.</p> <p>17 Q Okay. Do you know the names of</p> <p>18 any of Rock Fintek LLC's suppliers?</p> <p>19 A The only ones I believe I've</p> <p>20 heard are Adorama, JNS or LS. I can't</p> <p>21 quite recall, and then Kitchen Winners are</p> <p>22 the only ones that I am aware of or I've</p> <p>23 heard of.</p> <p>24 Q And where have you heard those</p> <p>25 names?</p>

Page 14

1 JAEGER  
 2 MR. OGLES: Objection.  
 3 Attorney-client privileged,  
 4 attorney work product. You're  
 5 here. If you can answer that  
 6 question without respect to any  
 7 communications you've received from  
 8 attorneys, if you can. Otherwise,  
 9 I instruct you not to answer.  
 10 A I'll follow that instruction.  
 11 Q Just to be clear. Does that  
 12 mean that outside of communications with  
 13 attorneys you have not heard of those  
 14 entities?  
 15 MR. OGLES: You can proceed.  
 16 A That is correct.  
 17 Q Got it. Okay. Have you ever  
 18 spoken with anyone at Kitchen Winners New  
 19 York Inc.?  
 20 A I have not.  
 21 Q Have you spoken with anyone at  
 22 JNS?  
 23 A Not that I'm aware of.  
 24 Q Okay. And have you ever spoken  
 25 with anyone at Adorama Inc.?

Page 16

1 JAEGER  
 2 A I do.  
 3 Q Perfect. This document, I'll  
 4 just note for the record, was Bates stamped  
 5 Medline\_00029. I'm going to mark this  
 6 document as Medline Exhibit A.  
 7 And I will provide a copy for  
 8 the court reporter following this  
 9 deposition.  
 10 (Whereupon, a spreadsheet was  
 11 marked as Medline Exhibit A for  
 12 identification, as of this date, by  
 13 the reporter.)  
 14 Q Are you familiar with this  
 15 particular spreadsheet?  
 16 A Yes. This looks to be a  
 17 listing of the 3PL item numbers.  
 18 Q Okay. Just to note. At the  
 19 very bottom there appear to be five sheets  
 20 as part of this spreadsheet. One of them  
 21 says summary, the next one detailed list,  
 22 next one is quantity or QTY by SKU;  
 23 following one is sheet 2; and the last one  
 24 is pivot table.  
 25 So starting on the summary

Page 15

1 JAEGER  
 2 A Not that I'm aware of.  
 3 Q Okay. Do you know if anybody  
 4 on your team has spoken with any of those  
 5 companies?  
 6 MR. OGLES: And, again, Mr.  
 7 Jaeger, same instruction with  
 8 respect to privilege. If you can  
 9 answer that without referring to  
 10 attorney-client communications, you  
 11 can answer. Otherwise I instruct  
 12 you not to answer.  
 13 A I am not aware of anybody on my  
 14 team.  
 15 Q Got it. Okay. MedLine has  
 16 produced a couple of spreadsheets in  
 17 response to our subpoena. Are you familiar  
 18 with those spreadsheets?  
 19 A I have seen a couple of the  
 20 documents that have been presented, yes.  
 21 And I am familiar with them.  
 22 Q I'm going to share my screen  
 23 with you.  
 24 Do you see a document in front  
 25 of you?

Page 17

1 JAEGER  
 2 page, could you explain to me what I'm  
 3 looking at here?  
 4 A So under the item number column  
 5 are the physical SKU numbers within Medline  
 6 system for each one of the gloves. Count  
 7 of locations column is the count of  
 8 physical slots within Medline's QC. Pallet  
 9 quantity per case is the number of case,  
 10 cases of each SKU on each pallet. And then  
 11 the column B is the cases on hand, total  
 12 cases on hand.  
 13 Q Did you create this document?  
 14 A I cannot recall.  
 15 Q Okay. So just so I'm  
 16 understanding this, again, this is the  
 17 summary sheet. It looks like there are  
 18 four types of items listed here, and then  
 19 it looks like the total number of cases on  
 20 hand is 68,159; is that correct?  
 21 We lost your audio.  
 22 Mr. Jaeger, can you hear me?  
 23 Mr. Jaeger?  
 24 MR. OGLES: David, can you hear  
 25 us?



Page 18

1           JAEGER  
 2           (Whereupon, an off-the-record  
 3           discussion was held.)  
 4           (Whereupon, the requested  
 5           portion was read by the reporter.)  
 6           A    That is correct.  
 7           Q    Okay. And I just want to see  
 8           if I can get some clarity here. What are  
 9           each of these item numbers?  
 10          A    That -- those are the item  
 11          numbers within Medline's system that  
 12          signify each of the SKUs for each one of  
 13          these items; the large, medium, small, and  
 14          extra large.  
 15          Q    And do you know, what are these  
 16          SKUs?  
 17          A    These are gloves.  
 18          Q    Can you tell from this what  
 19          kind of gloves?  
 20          A    No.  
 21          Q    Okay. The next column  
 22          references counts of locations. What is a  
 23          location?  
 24          A    A location is a slot within our  
 25          racking within one of our warehouses.

Page 20

1           JAEGER  
 2           105. Do you know the reason for that  
 3           difference?  
 4           A    I don't know for sure. The  
 5           only reason I could think is that is a  
 6           small item, so there could be more that can  
 7           fit on a pallet.  
 8           Q    Got it. Okay. And column D  
 9           says cases on hand. What is that a  
 10          reference to?  
 11          A    That is the number of cases  
 12          that were on hand, on hand for each one of  
 13          those items.  
 14          Q    And where does that number come  
 15          from?  
 16          A    I believe -- I would have to  
 17          look into the -- to this document -- but I  
 18          believe it's just a function equation  
 19          within there.  
 20          Q    Is it locations multiplied by  
 21          pallet quantity, or something else?  
 22          MR. OGLES: And, Counsel, it  
 23          may help if I can show the witness  
 24          the actual Excel document. Do you  
 25          mind if I open it up and show it to

Page 19

1           JAEGER  
 2           Q    So it's not that there are 982  
 3           warehouses, it is that there are 982 slots  
 4           within your warehouses where these items  
 5           are located?  
 6           A    Correct.  
 7           Q    Okay. Does that mean each  
 8           location is an individual pallet?  
 9           A    Yes. Each -- each location is  
 10          where we would store a pallet of goods.  
 11          Q    Okay. And then when the column  
 12          says pallet quantity, what is that a  
 13          reference to?  
 14          A    I believe that is the max  
 15          number of cases that can fit on a pallet  
 16          within one of our slots.  
 17          Q    So it's not saying how many  
 18          cases are actually on the pallet; it's  
 19          saying how many cases could fit on the  
 20          pallet?  
 21          A    The max number of cases,  
 22          correct.  
 23          Q    So can you -- I'm just -- I'm a  
 24          little confused. So three of these have a  
 25          pallet quantity of 98, and one of them is

Page 21

1           JAEGER  
 2           him?  
 3           MR. SPERBER: Yeah. That's  
 4           fine.  
 5           MR. OGLES: One second.  
 6           A    No. It's just an entry. It  
 7           doesn't look like there is an equation or  
 8           anything in there. This appears to be an  
 9           estimation on how long it would take to  
 10          check each slot of these items.  
 11          Q    You're referring to the hours  
 12          at the bottom?  
 13          A    Correct.  
 14          Q    Do you know when the document  
 15          was prepared?  
 16          A    I don't have the date offhand.  
 17          Q    Okay. Who at Medline was  
 18          responsible for keeping inventory in  
 19          regards to Ascension and the things that  
 20          Ascension is storing at your warehouse?  
 21          A    We rely on our warehouse  
 22          management system for keeping inventory.  
 23          Q    How does that work?  
 24          MR. OGLES: Objection to form.  
 25          If you understand the question,

Page 22

1           JAEGER  
2       go ahead.  
3       A   At the very highest level, we  
4       have a warehouse management system that  
5       manages all our inventory locations and  
6       levels within our DCs.  
7       Q   Let me see if I can give an  
8       example. Let's say a truck comes in  
9       bearing goods for Ascension or for Resource  
10      Group. How would that be processed into  
11      Medline's warehouse management system?  
12      A   First, a dock appointment would  
13      need to be set up for the shipment. When  
14      it arrives, it would need to have a third  
15      party logistic field referenced on it.  
16      Then our warehouse team would use that  
17      third party purchase order to receive the  
18      product into our warehouse management  
19      system. And from there our warehouse  
20      management system would provide details on  
21      where to slot the product.  
22      Q   Does some -- is there a person  
23      at Medline who would look at whatever came  
24      in and would assign it an SKU?  
25      A   They would not assign it a SKU.

Page 24

1           JAEGER  
2       distribution center that it's stored in.  
3       Q   When you say distribution  
4       center, that's a warehouse physically  
5       located somewhere across the country?  
6       A   Correct.  
7       Q   Okay. What is column C? I  
8       believe it says location? What is that a  
9       reference to?  
10      A   Location is the physical slots  
11      within the warehouse.  
12      Q   And, again, that's -- basically  
13      that's the location of the pallets within  
14      the warehouse?  
15      A   Correct, within our racking in  
16      the -- in the warehouse.  
17      Q   Column D says quantity on hand.  
18      What is that?  
19      MR. OGLES: Objection. I think  
20      you may have misstated the column  
21      there, Counsel. You said --  
22      MR. SPERBER: D like dog?  
23      MR. OGLES: I apologize.  
24      MR. SPERBER: Yep.  
25      MR. OGLES: Withdrawn.

Page 23

1           JAEGER  
2       They would reference the purchase order  
3       that lists the SKUs that would be coming in  
4       on that individual purchase order and then  
5       receive against that list of predetermined  
6       SKUs on that purchase order.  
7       Q   And is there someone who counts  
8       the number of items that are being  
9       delivered?  
10      A   Yes. Our receiving team does a  
11      count of product when they come in to  
12      confirm the accuracy of the purchase order.  
13      Q   I want to look at the next  
14      sheet in this that we've labeled as Medline  
15      Exhibit A called detail list. Can you  
16      explain to me what we are looking at here?  
17      A   This looks to be some raw  
18      storage location information.  
19      Q   So if we can just go column by  
20      column. So field one, is that the -- the  
21      SKU that is ascribed to the various items  
22      being held by Medline?  
23      A   That is correct.  
24      Q   Okay. And what is column B?  
25      A   WERKS, the listing of the

Page 25

1           JAEGER  
2       A   Yes, that appears to be the  
3       quantity on hand for that individual slot  
4       after each unit of measure.  
5       Q   And, again, where does this  
6       quantity come from? And when I say "come  
7       from," let me clarify just a little bit.  
8       Meaning is this an individual that puts it  
9       into the system or -- or how is this  
10      arrived?  
11      A   So this information would come  
12      from our warehouse management system. So  
13      as mentioned, when we are receiving the  
14      product, we are told by the system which  
15      slot to put it into, and the system knows  
16      how much we are putting into that slot.  
17      Q   Okay. Column E says good/bad  
18      with a question mark. What is that a  
19      reference to?  
20      A   I can't recall.  
21      Q   Okay. Column F says ITM\_LEN.  
22      Could you explain that one?  
23      A   That looks like the next three  
24      columns; item length, item width, and item  
25      height.



<p style="text-align: right;">Page 26</p> <p>1           JAEGER</p> <p>2       Q   And when you say item, what is</p> <p>3 the item?</p> <p>4       A   The individual SKU.</p> <p>5       Q   So if there is a pallet full of</p> <p>6 cartons of gloves, you're referring to each</p> <p>7 carton is the item?</p> <p>8       A   Correct.</p> <p>9       Q   Okay. And then column I is</p> <p>10 cases on hand. Can you explain what that</p> <p>11 column is?</p> <p>12       A   That looks to be the sales unit</p> <p>13 of measure that is on hand for each</p> <p>14 individual location.</p> <p>15       Q   Okay. Does every warehouse</p> <p>16 used by Medline use the same warehouse</p> <p>17 management system?</p> <p>18       A   Yes.</p> <p>19       Q   Going to the next sheet, it's</p> <p>20 labeled quantity by SKU. Again, could you</p> <p>21 explain what I'm looking at here?</p> <p>22       A   Yes. The row labels column is</p> <p>23 the SKU. And the sum of cases on hand</p> <p>24 column is just that, the sum of cases for</p> <p>25 each SKU.</p>	<p style="text-align: right;">Page 27</p> <p>1           JAEGER</p> <p>2       Q   Okay. Now, at sheet two,</p> <p>3 that's what it's labeled at the bottom.</p> <p>4 Can you explain this one?</p> <p>5       A   Yes. It seems to be just about</p> <p>6 some of the same information from the</p> <p>7 detail list. Field one is SKU number.</p> <p>8 Works is the location, the warehouse</p> <p>9 listing. Location is the physical storage</p> <p>10 location within the DC. The good/bad, I</p> <p>11 can't recall what that was for. And cases</p> <p>12 on hand is the sales unit measure quantity</p> <p>13 that is in each one of those locations.</p> <p>14       Q   Okay. So it's the same</p> <p>15 information, just reorganized in a</p> <p>16 different way?</p> <p>17       A   Yes.</p> <p>18       Q   Okay. And then the final sheet</p> <p>19 here is called pivot table. Just again if</p> <p>20 you could explain what's going on here?</p> <p>21       A   Same thing; roll labels are the</p> <p>22 SKUs. Count of location is the count of</p> <p>23 the storage location. And the sum of cases</p> <p>24 on hand is the quantity of sales unit</p> <p>25 measure on hand, totals of.</p>
<p style="text-align: right;">Page 28</p> <p>1           JAEGER</p> <p>2       Q   What is a pivot table?</p> <p>3       A   It's a function within Excel</p> <p>4 you can use to summarize and count things</p> <p>5 within an extensive Excel table.</p> <p>6       Q   Got it. Okay. All right. I'm</p> <p>7 going to show you -- I'm sorry. Go ahead.</p> <p>8       MR. OGLES: Counsel, before --</p> <p>9 yeah. This is -- this is Mr. Ogles</p> <p>10 speaking for -- for Medline. Can I</p> <p>11 have 30 seconds with my client</p> <p>12 before you go off this document?</p> <p>13       MR. SPERBER: Sure.</p> <p>14       MR. OGLES: Thank you.</p> <p>15       MR. SPERBER: Off the record?</p> <p>16       MR. OGLES: Yes, please. Thank</p> <p>17 you.</p> <p>18       (Whereupon, a short recess was</p> <p>19 taken.)</p> <p>20       Q   I just want to circle back on</p> <p>21 some things from a few minutes ago.</p> <p>22       Prior to delivering goods to a</p> <p>23 Medline warehouse, does Medline do any sort</p> <p>24 of inspection of the goods that are being</p> <p>25 delivered?</p>	<p style="text-align: right;">Page 29</p> <p>1           JAEGER</p> <p>2       A   Only for any exterior damage of</p> <p>3 the case. That's it.</p> <p>4       Q   Okay. All right. Let me show</p> <p>5 you what I'm going to be marking -- marking</p> <p>6 as Medline Exhibit B.</p> <p>7       (Whereupon, a document</p> <p>8 containing spreadsheets ad</p> <p>9 photographs was marked as Medline</p> <p>10 Exhibit B for identification, as of</p> <p>11 this date, by the reporter.)</p> <p>12       Q   Do you see a document in front</p> <p>13 of you, a new document?</p> <p>14       A   Yes.</p> <p>15       Q   This document, just for the</p> <p>16 record, is Bates stamped Medline_00030.</p> <p>17       Have you seen this document</p> <p>18 before?</p> <p>19       A   Yes.</p> <p>20       Q   Okay. Were you involved in</p> <p>21 preparing this document?</p> <p>22       A   I was not.</p> <p>23       Q   Okay. Could you explain to me</p> <p>24 what this document is?</p> <p>25       A   This was a document put</p>



<p style="text-align: right;">Page 30</p> <p>1 JAEGER</p> <p>2 together by a Medline employee after</p> <p>3 visiting a warehouse to take a look at some</p> <p>4 product.</p> <p>5 Q Okay. Do you know which</p> <p>6 warehouse the Medline employee visited?</p> <p>7 A Yes; the Great Lake, Illinois</p> <p>8 distribution center.</p> <p>9 Q Okay. And just to be clear.</p> <p>10 To your knowledge, this spreadsheet is</p> <p>11 based solely upon items that were in the</p> <p>12 Great Lake Distribution Center?</p> <p>13 A Correct.</p> <p>14 Q Okay. In preparing for today's</p> <p>15 deposition, did you speak with the employee</p> <p>16 who prepared this spreadsheet?</p> <p>17 A Yes.</p> <p>18 Q Okay. Could you explain to me</p> <p>19 what that employee told you?</p> <p>20 A Yes. The employee had gotten</p> <p>21 communication from Ascension corporate</p> <p>22 team, along with several e-mails from final</p> <p>23 end users for Ascension, about complaints</p> <p>24 about the gloves. This Great Lake</p> <p>25 Distribution Center is located fairly close</p>	<p style="text-align: right;">Page 31</p> <p>1 JAEGER</p> <p>2 to our corporate office where the employee</p> <p>3 also works out of, so he went to the Great</p> <p>4 Lake facility, had a pallet pulled down of</p> <p>5 some of the gloves, and inspected a few</p> <p>6 cases and put this documentation together,</p> <p>7 along with these pictures.</p> <p>8 Q Okay. So it's your</p> <p>9 understanding that this spreadsheet is</p> <p>10 based upon gloves that were contained on a</p> <p>11 single pallet?</p> <p>12 A It was either a single pallet</p> <p>13 or a couple pallets. I don't recall to be</p> <p>14 exact where it was pulled from.</p> <p>15 Q Okay. What was the name of the</p> <p>16 employee who prepared the spread sheet?</p> <p>17 A The employee name is Adam</p> <p>18 Swearingin.</p> <p>19 Q Okay. Would it be fair to say</p> <p>20 that -- I'm sorry. Were you saying</p> <p>21 something?</p> <p>22 A I was confirming that the name</p> <p>23 --</p> <p>24 MR. OGLES: Oh, no. You're</p> <p>25 right. I'm sorry.</p>
<p style="text-align: right;">Page 32</p> <p>1 JAEGER</p> <p>2 A Okay. Yeah, the way I listed</p> <p>3 it is correct. I-N at the end.</p> <p>4 Q Would it be fair to say that</p> <p>5 the employee who looked at these gloves</p> <p>6 concluded that there were differences</p> <p>7 between the various gloves that he</p> <p>8 inspected?</p> <p>9 A Yes.</p> <p>10 Q Is there any way to tell from</p> <p>11 this spreadsheet which location the gloves</p> <p>12 being examined were taken from?</p> <p>13 A To clarify, do you mean storage</p> <p>14 location?</p> <p>15 Q Yes.</p> <p>16 A No, it does not look to be</p> <p>17 listed on this sheet.</p> <p>18 Q Okay. Or pallet number or</p> <p>19 anything that would be able to trace this</p> <p>20 spreadsheet to a specific pallet at a -- at</p> <p>21 a warehouse owned by Medline?</p> <p>22 A No, there doesn't look to be</p> <p>23 any identifier here.</p> <p>24 Q What does AQL on a box refer</p> <p>25 to?</p>	<p style="text-align: right;">Page 33</p> <p>1 JAEGER</p> <p>2 A To my knowledge that is</p> <p>3 acceptable quantity limit.</p> <p>4 Q What does that mean?</p> <p>5 A It is some quality standard</p> <p>6 that I am not fully aware of. I have</p> <p>7 limited knowledge.</p> <p>8 Q All right. Okay. I'm going to</p> <p>9 show you what I'm marking now as Medline</p> <p>10 Exhibit C. Do you see this document in</p> <p>11 front of you?</p> <p>12 (Whereupon, a spreadsheet was</p> <p>13 marked as Medline Exhibit C for</p> <p>14 identification, as of this date, by</p> <p>15 the reporter.)</p> <p>16 A Yes.</p> <p>17 MR. SPERBER: Okay. This is a</p> <p>18 document that was Bates stamped</p> <p>19 Medline_00031. I'll note for the</p> <p>20 record on the bottom there appear</p> <p>21 to be two sheets; one that was</p> <p>22 labeled put-away, the other is</p> <p>23 labeled current stock.</p> <p>24 Q Do you see where I am?</p> <p>25 A Correct.</p>

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1 JAEGER

2 Q What does put-away refer to?

3 A Put-away usually refers to when

4 product, after it has been received in at

5 the DC, it's physically put away into the

6 slots in the racking.

7 Q How is put-away different from

8 current stock?

9 A I couldn't exactly say within

10 this document what the difference really is

11 between the two.

12 Q Do you know when this document

13 was created?

14 A I don't recall the exact date

15 when it was created.

16 Q Would there be a way to tell

17 from the spreadsheet when it was created?

18 A No. No. There isn't any

19 indicator or title on the document that

20 states when it was created.

21 Q Okay. Again, as we did with

22 the prior spreadsheet, I just want to go

23 through and the record will understand what

24 each of the columns is referring to. So

25 starting -- we're on the put-away sheet.

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1 JAEGER

2 A I know it's a -- it's a

3 different size item.

4 Q Can you tell from here what

5 brand?

6 A I cannot.

7 Q Okay. Column C is entitled

8 slot number. What is that?

9 A Once again, that's the physical

10 storage location within the warehouse.

11 Q Is that the same as the

12 location from the prior spreadsheet?

13 A Correct.

14 Q Okay. What is column D, which

15 is BUON\_QTY?

16 A That is the base to your

17 measure quantity.

18 Q Okay. And what is that?

19 A That is how many of the item in

20 the very lowest unit of measure there are

21 within that slot.

22 Q And how about SUOM\_QTY, which

23 is column E?

24 A That is the sale of unit

25 measure quantity.

Page 35

1 JAEGER

2 Starting on column A, what is branch

3 referring to?

4 A That's the listing of each one

5 of our warehouses.

6 Q Okay. And item number,

7 column B?

8 A Yep. Item number once again is

9 the SKU for the item.

10 Q And, again, these SKUs came

11 from third party purchase orders that were

12 provided to Medline?

13 A For 3PL programs, we have to

14 create a unique SKU for each item a

15 customer plans to store in our 3PL

16 programs. Each customer gets a unique

17 prefix and then we copy typically the rest

18 of the manufacture item number.

19 Q From where?

20 A From the information the

21 customers provide up front.

22 Q Now, just looking at these item

23 numbers, do you know what they refer to,

24 meaning which specific good or -- or

25 product is being referenced?

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1 JAEGER

2 Q Again, is that just a different

3 form of measuring what is on -- in that

4 location?

5 A Correct. So the sales unit

6 measure would be the case.

7 Q Do you know, are these the

8 actual number of items at that location or

9 the -- or the capacity to hold that number

10 of items at this location?

11 A This appears to be the number

12 of items in each location.

13 Q Okay. And what is column F,

14 which is DM\_TM\_start?

15 A That appears to be date and

16 time when the product was put away into the

17 slot.

18 Q Okay. So I want to understand.

19 So does Medline ever move goods around

20 between its various warehouses?

21 A Do you mean for Medline goods

22 or --

23 Q No, no. For goods that it's

24 holding for its customers.

25 A We do if it is requested by a



<p style="text-align: right;">Page 38</p> <p>1 JAEGER</p> <p>2 customer.</p> <p>3 Q Okay. So if a good is placed</p> <p>4 in a location in the Great Lake warehouse</p> <p>5 and then moved to a warehouse let's say in</p> <p>6 New York, would the date/time start refer</p> <p>7 to the moment in time when it was placed in</p> <p>8 its new location?</p> <p>9 A Yes, it would.</p> <p>10 Q Looking at the sheet labeled</p> <p>11 current stock. Again, I just want to go</p> <p>12 through this exercise. So starting in</p> <p>13 column A, branch, is that the warehouse</p> <p>14 where the item is located?</p> <p>15 A Correct.</p> <p>16 Q And then material, is that a</p> <p>17 reference to the SKU?</p> <p>18 A Yes, it is.</p> <p>19 Q Okay. And location, and,</p> <p>20 again, that's the specific location in the</p> <p>21 warehouse where the item is located?</p> <p>22 A Correct.</p> <p>23 Q And then the BUOM_QTY and the</p> <p>24 SUOM_QTY; that's the same as the prior</p> <p>25 spreadsheet?</p>	<p style="text-align: right;">Page 39</p> <p>1 JAEGER</p> <p>2 A Yes.</p> <p>3 Q Okay. And then column F here</p> <p>4 is FIFO_date. Can you explain what that</p> <p>5 is?</p> <p>6 A That is the FIFO date. FIFO</p> <p>7 stands for first in/first out.</p> <p>8 The date and time it was</p> <p>9 received to the slot, as our system will</p> <p>10 pick the oldest product first.</p> <p>11 Q Okay. So is that the same as</p> <p>12 the DT_TM_start from the --</p> <p>13 A Yes.</p> <p>14 Q On the SKUs, do you know, what</p> <p>15 does the ABM stand for, if anything?</p> <p>16 A That's just a unique prefix</p> <p>17 given for the Ascension 3PL items.</p> <p>18 Q All right. Got it. Okay.</p> <p>19 Is there anywhere on the</p> <p>20 spreadsheet where Medline is keeping track</p> <p>21 of the date when it first received the</p> <p>22 items in question from trucks that</p> <p>23 delivered it?</p> <p>24 A Not on this sheet, no.</p> <p>25 Q Okay. I'm going to show you</p>
<p style="text-align: right;">Page 40</p> <p>1 JAEGER</p> <p>2 what I'm marking now as Medline Exhibit D.</p> <p>3 (Whereupon, a spreadsheet was</p> <p>4 marked as Medline Exhibit D for</p> <p>5 identification, as of this date, by</p> <p>6 the reporter.)</p> <p>7 Q Do you see now in front of you</p> <p>8 a new spreadsheet? Is this new?</p> <p>9 A Is this a new sheet or is this</p> <p>10 the same sheet?</p> <p>11 Q Let me just look, make sure I</p> <p>12 didn't do this wrong.</p> <p>13 MR. SPERBER: Off the record</p> <p>14 for just a minute.</p> <p>15 (Whereupon, an off-the-record</p> <p>16 discussion was held.)</p> <p>17 Q So you have in front of you a</p> <p>18 document that's been Bates stamped</p> <p>19 Medline_00032, which we are referring to</p> <p>20 here as Medline Exhibit D. Do you see the</p> <p>21 document in front of you?</p> <p>22 A Yes.</p> <p>23 Q Okay. And, again, just like</p> <p>24 the previous document you looked at, it has</p> <p>25 two sheets on the bottom. One says</p>	<p style="text-align: right;">Page 41</p> <p>1 JAEGER</p> <p>2 put-away, one says current stock. Am I</p> <p>3 correct?</p> <p>4 A Correct.</p> <p>5 Q Okay. And just looking</p> <p>6 quickly, are the columns here the same as</p> <p>7 we saw on the previous spreadsheet? I</p> <p>8 don't mean the content. I mean the -- the</p> <p>9 type of columns, you know, that we saw</p> <p>10 previously?</p> <p>11 A Yes, they appear to be.</p> <p>12 Q Okay. And, again, on the</p> <p>13 current stock, same thing?</p> <p>14 A Yes, they appear to be.</p> <p>15 Q Okay. And I'm going to show</p> <p>16 you what I'm marking now as Medline</p> <p>17 Exhibit E.</p> <p>18 (Whereupon, a spreadsheet was</p> <p>19 marked as Medline Exhibit E for</p> <p>20 identification, as of this date, by</p> <p>21 the reporter.)</p> <p>22 Q Do you see in front of you now</p> <p>23 a document which was Bates stamped</p> <p>24 Medline_00033? Do you see a document in</p> <p>25 front of you that has at the bottom three</p>

<p style="text-align: right;">Page 42</p> <p>1 JAEGER</p> <p>2 tabs; inbound, outbound, and summary?</p> <p>3 A Yes.</p> <p>4 Q Okay. So once again I just want</p> <p>5 to understand what I'm looking at here. So</p> <p>6 starting on the sheet labeled inbound. So</p> <p>7 column A is PO number. What is that a</p> <p>8 reference to?</p> <p>9 A That is a reference to the</p> <p>10 Medline 3PL purchase order.</p> <p>11 Q When you say "the Medline 3PL</p> <p>12 purchase order," what is that?</p> <p>13 A That is a purchase order</p> <p>14 created in our system solely for the</p> <p>15 purpose of documenting what's coming in on</p> <p>16 each -- on a shipment from a 3PL customer</p> <p>17 that in turn our warehouse uses to receive</p> <p>18 product and to stock with.</p> <p>19 Q Okay. And then column B,</p> <p>20 material number, is that just the S-K-U,</p> <p>21 SKU?</p> <p>22 A That is correct.</p> <p>23 Q Column C says PO-created date.</p> <p>24 What is that reference to?</p> <p>25 A That is the date that was</p>	<p style="text-align: right;">Page 43</p> <p>1 JAEGER</p> <p>2 create -- the purchase order was created in</p> <p>3 our system.</p> <p>4 Q Okay. And PO month/year, LD?</p> <p>5 A That is the year and month that</p> <p>6 it was created.</p> <p>7 Q The purchase order?</p> <p>8 A Correct.</p> <p>9 Q PO type, what is that?</p> <p>10 A That's just a listing in our</p> <p>11 system that this -- this specific purchase</p> <p>12 order is a third-party logistics 3PL</p> <p>13 purchase order.</p> <p>14 Q As opposed to what?</p> <p>15 A As opposed to a regular Medline</p> <p>16 supply purchase order.</p> <p>17 Q When you say Medline supply</p> <p>18 purchase order, is that goods that Medline</p> <p>19 itself sells?</p> <p>20 A Correct.</p> <p>21 Q Okay. Branch number, is that a</p> <p>22 reference to the warehouse where the goods</p> <p>23 are being held?</p> <p>24 A Correct.</p> <p>25 Q Do you know, is that branch</p>
<p style="text-align: right;">Page 44</p> <p>1 JAEGER</p> <p>2 where the goods are being held at the time</p> <p>3 this spreadsheet was created or at the time</p> <p>4 when the purchase order was created?</p> <p>5 A The branch listing on here</p> <p>6 would be the branch that the purchase order</p> <p>7 was created for.</p> <p>8 Q Got it. I understand. States</p> <p>9 and city. LI is vendor number. What is</p> <p>10 that?</p> <p>11 A We have to create a vendor in</p> <p>12 our system to be able to create a</p> <p>13 third-party purchase order. So we create</p> <p>14 vendor numbers to be able to do that for</p> <p>15 our third-party programs.</p> <p>16 Q Do you know who this vendor</p> <p>17 number refers to, 600165?</p> <p>18 A Yeah. That appears to be a</p> <p>19 misuse of a vendor number. The proper</p> <p>20 vendor number is the 600166, Election</p> <p>21 Brothers Medical Center. That is used for</p> <p>22 Ascension.</p> <p>23 Q So Ascension has one vendor</p> <p>24 number for all of -- all of its POs?</p> <p>25 A Correct.</p>	<p style="text-align: right;">Page 45</p> <p>1 JAEGER</p> <p>2 Q Okay. And then we have a</p> <p>3 vendor name which I think is -- you can</p> <p>4 tell me if I'm wrong, but I assume it's the</p> <p>5 name of the vendor? Actually, no. Can you</p> <p>6 explain to me what the name vendor is?</p> <p>7 A Yeah. Vendor in this situation</p> <p>8 for our third-party programs is the</p> <p>9 customer name listing.</p> <p>10 Q Customer -- when you say "the</p> <p>11 customer name listing," customer for what?</p> <p>12 A The customer for the 3PL</p> <p>13 program.</p> <p>14 Q So just looking at column -- at</p> <p>15 line 2. So this PO number -- I'm not going</p> <p>16 to read the whole thing but it ends 7244 --</p> <p>17 that is for Advent-- I can't pronounce this</p> <p>18 -- A-D-V-E-N-T-H-E-A-L-T-H Tampa; is that</p> <p>19 correct?</p> <p>20 A Correct, Advent Health Tampa.</p> <p>21 Q Got it.</p> <p>22 Column K says order UOM code.</p> <p>23 What is that?</p> <p>24 A That is unit of measure listed</p> <p>25 on the purchase order.</p>



<p style="text-align: right;">Page 46</p> <p>1 JAEGER</p> <p>2 Q So a lot of these say CS. What</p> <p>3 is CS?</p> <p>4 A CS is case, unit of measure.</p> <p>5 Q Okay. And the column L, base</p> <p>6 UOM purchase order quantity, what is that?</p> <p>7 A It appears to be the quantity</p> <p>8 received, that line on that purchase order.</p> <p>9 Q It's the quantity of cases if</p> <p>10 the order UOM code is CS?</p> <p>11 A That is correct.</p> <p>12 Q When we're talking about</p> <p>13 inbound, is this spreadsheet saying, for</p> <p>14 example, that Advent Health is the customer</p> <p>15 that delivered whatever correspondence to</p> <p>16 this purchase order next to it?</p> <p>17 A Inbound means inbound into our</p> <p>18 distribution center and inbound into the</p> <p>19 customer's 3PL program.</p> <p>20 Q And the customer is the vendor.</p> <p>21 A Correct.</p> <p>22 Q Okay. Looking now at the sheet</p> <p>23 labeled outbound, again, let's just go</p> <p>24 through the columns here. So column A says</p> <p>25 delivery number. What is that?</p>	<p style="text-align: right;">Page 47</p> <p>1 JAEGER</p> <p>2 A That is the delivery number</p> <p>3 generated within Medline's system.</p> <p>4 Q That's just a number assigned</p> <p>5 to any particular delivery?</p> <p>6 A Correct.</p> <p>7 Q Okay. Column B is material</p> <p>8 number? Is that again the SKU?</p> <p>9 A Correct.</p> <p>10 Q Column C is delivery created</p> <p>11 date. What is that?</p> <p>12 A That was the date that the</p> <p>13 delivery number was generated within our</p> <p>14 system.</p> <p>15 Q Okay. And I assume delivery</p> <p>16 month, year refers to the month and year</p> <p>17 when the delivery number was created?</p> <p>18 A That is correct.</p> <p>19 Q Okay. And column E, branch</p> <p>20 number, that's a reference to the -- to the</p> <p>21 warehouse where the number was created?</p> <p>22 A Where the delivery was shipping</p> <p>23 out of.</p> <p>24 Q Okay. And then we have state,</p> <p>25 city. What -- that's the state and city</p>
<p style="text-align: right;">Page 48</p> <p>1 JAEGER</p> <p>2 where the delivery is shipping out of?</p> <p>3 A State and city of the</p> <p>4 distribution center, correct.</p> <p>5 Q Okay. Then we have to name.</p> <p>6 Is that the company to which the goods are</p> <p>7 being shipped?</p> <p>8 A Yes, that is the shipped to</p> <p>9 location name.</p> <p>10 Q What is the sold to number,</p> <p>11 column J?</p> <p>12 A That is the number that is</p> <p>13 typically in our system billed for the</p> <p>14 goods.</p> <p>15 Q Okay. And, again, the sold to</p> <p>16 name is the company being billed for the</p> <p>17 goods that are being shipped out?</p> <p>18 A Correct.</p> <p>19 Q Okay. How about column L,</p> <p>20 primary group number?</p> <p>21 A Many of our -- many customers</p> <p>22 are in a group of -- are listed in a group</p> <p>23 setting within -- within Medline. We list</p> <p>24 out multiple locations that a single</p> <p>25 customer has.</p>	<p style="text-align: right;">Page 49</p> <p>1 JAEGER</p> <p>2 Q Okay. Anyone with the same</p> <p>3 group number is part of the -- it looks</p> <p>4 like here the primary group name is</p> <p>5 Resource Group / Ascension. So all these</p> <p>6 -- these other entities are part of the</p> <p>7 same group; is that right?</p> <p>8 A That is correct.</p> <p>9 Q And column N, sales UOM</p> <p>10 delivery quantity. What is that?</p> <p>11 A Hold on one second. I've got</p> <p>12 to move.</p> <p>13 That appears to be the quantity</p> <p>14 that was shipped on that specific delivery.</p> <p>15 Q Got it. Okay. All right.</p> <p>16 And then looking at the last</p> <p>17 sheet here, which is labeled summary. So</p> <p>18 can you explain what I'm looking at here?</p> <p>19 A Yep. The top table appears to</p> <p>20 be a summary from the inbound tab that we</p> <p>21 reviewed broken down by month. The row of</p> <p>22 labels is the month and it appears to be</p> <p>23 broken out between the two vendor numbers.</p> <p>24 Q Okay. And then the bottom</p> <p>25 chart?</p>

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1           JAEGER

2       A    The bottom chart seems to be a

3   summary of the outbound tab that we

4   reviewed.

5           Roll label is the physical

6   month and year.

7           And then it's the quantity that

8   was shipped out for the Resource Group /

9   Ascension.

10       Q   Got it. So just looking at the

11   summary here, so when the inbound chart, if

12   you look at the grand total listing, so

13   grand total on the bottom right is -- looks

14   like 273,034. Do you see where I am over

15   here?

16       A    Yes.

17       Q    So does that mean that -- and

18   you can tell me if I'm wrong here -- but

19   does that mean that Medline received

20   273,034 cases of goods?

21       A    Correct.

22       Q    Okay. And then on the -- on

23   the outbound, again, grand total on the --

24   appears to be 77,820. So that means that

25   Medline shipped out, of the goods it

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1           JAEGER

2       (Whereupon, a short recess was

3   taken.)

4       Q    I just have a couple follow-up

5   questions. I'm almost done on my end.

6           Are you familiar -- when I say

7   you, you personally -- are you familiar

8   with a burn-down plan in relation to

9   medical gloves that Ascension or the

10   Resource Group was contemplating during or

11   after the COVID-19 pandemic?

12       MR. OGLES: Objection. Outside

13   the scope of the deposition. If

14   you know personally, go ahead.

15       A    I am not aware.

16       Q    Are you personally familiar

17   with any plans that Ascension or Resource

18   Group may have had to reduce its stock of

19   pandemic-related personal protective

20   equipment during or after the COVID-19

21   pandemic?

22       MR. OGLES: Same objection.

23       A    I am not aware.

24       Q    Do you know if Medline ever

25   moved medical gloves that it was storing on

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1           JAEGER

2   received, 77,820 cases.

3       A    Correct.

4       Q    Okay. And. Again, did you

5   create this spreadsheet?

6       A    No. This was created by

7   another employee.

8       Q    And do you know when it was

9   created?

10       A    I don't know the exact date.

11       Q    Do you know approximately?

12       A    I don't.

13       MR. OGLES: Counsel, I will

14   represent it was created after the

15   subpoena was issued, generated from

16   Medline.

17       MR. SPERBER: Okay. Can we

18   take a two-minute break? I might

19   be done. I just want to check my

20   notes.

21       MR. OGLES: Of course. Let's

22   make it five.

23       MR. SPERBER: Sure. Sounds

24   good.

25       MR. OGLES: Thank you.

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1           JAEGER

2   behalf of Ascension or the Resource Group

3   between its various warehouses?

4       A    Yes. I'm aware of that

5   occurring.

6       Q    Okay. Are you aware that at

7   some point in time Medline performed an

8   audit of some or all of the gloves that it

9   was holding on behalf of Ascension or the

10   Resource Group?

11       A    Yes, I am aware.

12       Q    Were you personally involved in

13   that?

14       A    Yes, I was involved.

15       Q    Can you explain to me what

16   exactly was done by Medline?

17       MR. OGLES: Object to the form.

18       It's a little broad, Counsel, but,

19   to the witness, if you can answer

20   it, go ahead.

21       A    Yes. It was requested by the

22   customer to do a label audit for their

23   goods at the direction of the customer at

24   our DCs that stored the products in

25   question.



<p style="text-align: right;">Page 54</p> <p>1 JAEGER</p> <p>2 Q When you say DCs, what does</p> <p>3 that mean?</p> <p>4 A Distribution center or</p> <p>5 warehouse.</p> <p>6 Q Okay. You said you were</p> <p>7 involved in that. What was your role in</p> <p>8 that audit?</p> <p>9 A Once we received direction from</p> <p>10 the customer on what they wanted checked, I</p> <p>11 helped coordinate with our warehouse</p> <p>12 directors on a call and then a follow-up</p> <p>13 e-mail with details on how the audit should</p> <p>14 be completed.</p> <p>15 Q Okay. And so what did</p> <p>16 Ascension specifically ask you to do?</p> <p>17 A Ascension identified specific</p> <p>18 labels they wanted to be identified within</p> <p>19 their product. They sent us the</p> <p>20 information with the labels they want</p> <p>21 identified, and we completed the audit to</p> <p>22 help them identify those labels.</p> <p>23 Q What labels were they</p> <p>24 interested in?</p> <p>25 A I would have to refer to one of</p>	<p style="text-align: right;">Page 55</p> <p>1 JAEGER</p> <p>2 the documents, but I believe it said</p> <p>3 synthetic nitrile gloves.</p> <p>4 Q How did you or other Medline</p> <p>5 employees go about performing this audit?</p> <p>6 A Under the direction of the</p> <p>7 customer, we went to each slot that the</p> <p>8 product was stored in. We removed one</p> <p>9 random case. We opened the case and</p> <p>10 removed one random box within that case and</p> <p>11 inspected it for the label that was</p> <p>12 identified by Ascension.</p> <p>13 Q Did you check to see if every</p> <p>14 box on that pallet was the same?</p> <p>15 MR. OGLES: Object to form.</p> <p>16 A No. Our instruction was to</p> <p>17 check one single case and one box within</p> <p>18 the case.</p> <p>19 Q Do you know if every box on</p> <p>20 each pallet contained the same type of</p> <p>21 gloves as the one that you selected to look</p> <p>22 at?</p> <p>23 MR. OGLES: Object to form.</p> <p>24 A I couldn't confirm.</p> <p>25 Q Approximately how many</p>
<p style="text-align: right;">Page 56</p> <p>1 JAEGER</p> <p>2 different Medline employees were involved</p> <p>3 in conducting this audit?</p> <p>4 A I couldn't confirm exactly.</p> <p>5 MR. OGLES: And if you want to</p> <p>6 look at a document that you have to</p> <p>7 answer the question, you're welcome</p> <p>8 to do it. I have one in front of</p> <p>9 me.</p> <p>10 THE WITNESS: Does it list the</p> <p>11 employees or just the hours?</p> <p>12 MR. SPERBER: If you can just</p> <p>13 tell me what document you're</p> <p>14 looking at.</p> <p>15 MR. OGLES: If you look at</p> <p>16 document 38, there's a listing of</p> <p>17 a number of employees Mr. Jaeger</p> <p>18 e-mailed regarding this. It's</p> <p>19 probably not the total number of</p> <p>20 employees, but certainly there's a</p> <p>21 number of people involved.</p> <p>22 A Correct. The listing on there</p> <p>23 are the directors of each warehouse. They</p> <p>24 would have had their inventory control</p> <p>25 teams complete the audit, which of that</p>	<p style="text-align: right;">Page 57</p> <p>1 JAEGER</p> <p>2 list you can make inventory control teams</p> <p>3 that we had complete that.</p> <p>4 Q Were these the -- the people</p> <p>5 who are -- let me back up a second. I'm</p> <p>6 looking at Medline document Bates stamped</p> <p>7 Medline_00038, and I'm looking at an e-mail</p> <p>8 on that document from you to a whole list</p> <p>9 of people, and it's dated Monday,</p> <p>10 November 8, 2021, at 10:22 a.m. Are we on</p> <p>11 the same -- are we looking at the same</p> <p>12 document?</p> <p>13 A Yes, we are.</p> <p>14 Q And the subject of that e-mail</p> <p>15 is re network Ascension 3PL audits,</p> <p>16 correct?</p> <p>17 A Correct.</p> <p>18 Q Okay. So where were you</p> <p>19 pointing to on here when you referred to a</p> <p>20 certain number of hours?</p> <p>21 MR. OGLES: Document number 35.</p> <p>22 MR. SPERBER: I'm sorry?</p> <p>23 MR. OGLES: Yeah, I was noting</p> <p>24 the witness is referring to the</p> <p>25 very first page of that document,</p>

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1           JAEGER  
2       and at line 35 there is a listing  
3       of hours there.  
4       Q   Okay. And when it refers to  
5       hours there, is that the number of hours  
6       that Medline -- let me rephrase that.  
7           Number of employee hours  
8       Medline expended in conducting this audit?  
9       A   That is correct.  
10      Q   But you don't know how many  
11      actual employees were involved in doing  
12      this, do you?  
13      A   Correct. I do not know the  
14      actual number.  
15      Q   All right. And, again, going  
16      back to Medline 38. There is a listing of  
17      Medline employees on the e-mail, but you  
18      don't know if they're the ones that  
19      personally conducted the audit or somebody  
20      else at their various warehouses, correct?  
21      A   Correct.  
22      Q   In preparing for today's  
23      deposition, you didn't speak with every one  
24      of those employees who conducted the audit,  
25      did you?

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1           JAEGER  
2       A   I did not.  
3       Q   Did you speak with all the  
4       employees listed on Medline 38 in preparing  
5       for today's deposition?  
6       A   I did not.  
7       Q   Does Medline ordinarily conduct  
8       these kinds of audits on behalf of  
9       Ascension?  
10      A   I wouldn't say ordinarily.  
11      It's when requested.  
12      Q   How many other audits has  
13      Medline conducted on behalf of Ascension in  
14      the last let's say five years?  
15           MR. OGLES: Objection. Outside  
16           the scope. If you know, go ahead.  
17      A   Maybe one or two that I can  
18      recall.  
19      Q   So it's not the kind of thing  
20      that you would ordinarily -- that you would  
21      undertake in the ordinary course of  
22      business unless asked specifically to do  
23      so, correct?  
24           MR. OGLES: Objection to form.  
25           Counsel, you're referring to for

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1           JAEGER  
2       Ascension or generally?  
3       MR. SPERBER: For Ascension  
4       let's start with.  
5       A   Yes. It's not something that  
6       we do ordinarily.  
7       Q   How about generally? Is it the  
8       kind of thing you do generally?  
9           Excuse me. Is this the kind of  
10      thing you would ordinarily do in the  
11      general course of your business at Medline?  
12           MR. OGLES: Object to form.  
13      Q   Let me rephrase the question.  
14      Does Medline routinely conduct audits on  
15      behalf of customers unless specifically  
16      asked to do so?  
17      A   We do not routinely. We do  
18      upon request.  
19      Q   Got it.  
20           MR. SPERBER: All right. I  
21      think those are my questions. I  
22      don't know if Avi or Phil has any  
23      questions for you.  
24           MR. FRISCH: I do not.  
25           MR. RAKHUNOV: I apologize. I

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1           JAEGER  
2       had to step away from the video  
3       screen but I will ask a few  
4       questions via the audio and  
5       hopefully Ms. Riddle can assist me  
6       with putting a couple of documents  
7       up.  
8       EXAMINATION BY  
9       MR. RAKHUNOV:  
10      Q   So you were just asked if  
11      Medline routinely conducts audits for  
12      customers when not asked to do so, and I  
13      just want the record to be clear.  
14      Medline conducts audits for its customers  
15      routinely when asked to do so. Is that  
16      fair?  
17      A   Yes. When Medline is asked to  
18      complete an audit, we do so.  
19      Q   And you were just -- there was  
20      a reference made to a document that I  
21      believe was Bates labeled Medline 35.  
22           MR. RAKHUNOV: Ms. Riddle,  
23      would you be kind enough to screen  
24      share that? And we would like to  
25      mark that as an exhibit.



<p style="text-align: right;">Page 62</p> <p>1 JAEGER</p> <p>2 (Whereupon, a e-mail was marked</p> <p>3 as Medline Exhibit F for</p> <p>4 identification, as of this date, by</p> <p>5 the reporter.)</p> <p>6 Q And, you know, I'm only screen</p> <p>7 sharing it for the purpose of confirming</p> <p>8 that that's the same document that you were</p> <p>9 just referring to in your testimony.</p> <p>10 So is that the same document</p> <p>11 you were just looking at, Mr. Jaeger?</p> <p>12 A Yes.</p> <p>13 Q Okay. And on the first page of</p> <p>14 the document, the last in time e-mail, do</p> <p>15 you see a chart there?</p> <p>16 A Yes.</p> <p>17 Q And does that chart reflect the</p> <p>18 results of the audit that Medline conducted</p> <p>19 for Ascension?</p> <p>20 A Yes, it does.</p> <p>21 Q Okay. And I believe you were</p> <p>22 asked a question earlier as to the type of</p> <p>23 labels that Ascension had asked Medline to</p> <p>24 audit, and I'm not sure that I heard</p> <p>25 clearly, so I apologize if I'm asking you</p>	<p style="text-align: right;">Page 63</p> <p>1 JAEGER</p> <p>2 again, but did I -- is it correct that</p> <p>3 Medline -- I'm sorry -- Ascension asked</p> <p>4 Medline to count the boxes that were</p> <p>5 labeled as NBR examination gloves versus</p> <p>6 those that were labeled protection gloves?</p> <p>7 A I would have to refer to the</p> <p>8 document on the specifics of what were</p> <p>9 requested for the audit.</p> <p>10 Q Please feel free to do so, if</p> <p>11 you don't mind.</p> <p>12 (Whereupon, an off-the-record</p> <p>13 discussion was held.)</p> <p>14 A Looks like it says product can</p> <p>15 be identified by the text synthetic nitrile</p> <p>16 protection glove listed on the box unit</p> <p>17 measure inside the case.</p> <p>18 Q And those were the items that</p> <p>19 the audit focused on, correct?</p> <p>20 A Correct.</p> <p>21 Q So the chart on page labeled</p> <p>22 35, does that accurately and fairly</p> <p>23 represent the results of the audit that</p> <p>24 Medline conducted for Ascension?</p> <p>25 A Yes.</p>
<p style="text-align: right;">Page 64</p> <p>1 JAEGER</p> <p>2 Q And Medline was paid for that</p> <p>3 work by Ascension, correct?</p> <p>4 A That is correct.</p> <p>5 Q And I believe I recall there</p> <p>6 was a number of about 108 hours that</p> <p>7 various Medline employees spent on this</p> <p>8 audit?</p> <p>9 A Yeah. I don't have the total</p> <p>10 number, but yes, that sounds close.</p> <p>11 MR. RAKHUNOV: Okay. If I</p> <p>12 could ask Ms. Riddle to put up the</p> <p>13 next exhibit on the screen.</p> <p>14 Q And this is a document that I</p> <p>15 will represent to you is a handful of</p> <p>16 photographs that were taken by my client in</p> <p>17 July of 2021 at various Medline warehouses.</p> <p>18 And it's a compilation of I believe seven</p> <p>19 photographs that are in a PDF document that</p> <p>20 we'll mark as the next exhibit.</p> <p>21 (Whereupon, photographs were</p> <p>22 marked as Medline Exhibit G for</p> <p>23 identification, as of this date, by</p> <p>24 the reporter.)</p> <p>25 MR. RAKHUNOV: Just scroll</p>	<p style="text-align: right;">Page 65</p> <p>1 JAEGER</p> <p>2 through it just so Mr. Jaeger can</p> <p>3 generally see the whole document,</p> <p>4 and then I'll just have a couple of</p> <p>5 very brief questions about it.</p> <p>6 Q First of all, as you're looking</p> <p>7 at these photographs, do you generally</p> <p>8 recognize them to be of Medline warehouse</p> <p>9 facilities based on your experience working</p> <p>10 there?</p> <p>11 MR. OGLES: Object to this as</p> <p>12 outside the scope of the</p> <p>13 deposition. But if you personally</p> <p>14 know, you can answer.</p> <p>15 A It's hard to -- I can't tell</p> <p>16 specifically from the photos that these are</p> <p>17 at Medline warehouses.</p> <p>18 Q Okay. Fair enough. Do you see</p> <p>19 in these photographs there are depicted</p> <p>20 white sheets of paper that are placed or</p> <p>21 affixed to the pallets that have numbers on</p> <p>22 them and have some words like Kitchen</p> <p>23 Winners or JNS? Do you see those white</p> <p>24 labels?</p> <p>25 A I do.</p>

<p style="text-align: right;">Page 66</p> <p>1           JAEGER</p> <p>2       Q   In your experience working for</p> <p>3 Medline, would Medline have placed those</p> <p>4 labels on the pallets after they were</p> <p>5 delivered into the Medline facility?</p> <p>6       MR. OGLES: Object. Outside</p> <p>7 the scope of the deposition. If</p> <p>8 you know personally, you can</p> <p>9 answer.</p> <p>10   A   Medline would not add a label</p> <p>11 like that to an inbound pallet.</p> <p>12       MR. RAKHUNOV: I don't have any</p> <p>13 other questions, Mr. Jaeger. Thank</p> <p>14 you.</p> <p>15       MR. SPERBER: I just want to</p> <p>16 follow up on that, if I may.</p> <p>17 EXAMINATION BY</p> <p>18 MR. SPERBER:</p> <p>19       Q   Going back to Medline 35. I</p> <p>20 will put it on the screen.</p> <p>21       Do you see Medline 35 in front</p> <p>22 of you?</p> <p>23       A   Yes.</p> <p>24       Q   And Mr. Rakhunov just asked you</p> <p>25 if -- if the results listed in the</p>	<p style="text-align: right;">Page 67</p> <p>1           JAEGER</p> <p>2 documents from Medline audit were accurate,</p> <p>3 and you answered in the affirmative; is</p> <p>4 that correct?</p> <p>5       MR. OGLES: Objection. That</p> <p>6 mischaracterizes his testimony; is</p> <p>7 it fair and accurate that --</p> <p>8 anyways, go ahead.</p> <p>9       MR. SPERBER: So I don't want</p> <p>10 to mischaracterize anybody's</p> <p>11 testimony.</p> <p>12       Q   So is it your testimony that</p> <p>13 the results of Medline's audit as listed in</p> <p>14 this document are accurate?</p> <p>15       A   Correct.</p> <p>16       Q   What are you basing that upon?</p> <p>17       A   Going back to what was stated</p> <p>18 earlier. The instruction from the customer</p> <p>19 was to go to each slot across all DCs, pull</p> <p>20 one case of the product, then from that</p> <p>21 case pull one box to identify if it was</p> <p>22 listed, if it had the text listed synthetic</p> <p>23 nitrile protection gloves. If it did, that</p> <p>24 entire slot was then put on blocked or held</p> <p>25 inventory.</p>
<p style="text-align: right;">Page 68</p> <p>1           JAEGER</p> <p>2       Q   Again, you testified earlier</p> <p>3 that you were not the one who conducted the</p> <p>4 entire audit yourself, correct?</p> <p>5       A   Correct.</p> <p>6       Q   And you have not spoken with</p> <p>7 every individual Medline employee who was</p> <p>8 involved in conducting the audit, correct?</p> <p>9       A   Correct.</p> <p>10       Q   So how do you know that what</p> <p>11 they recorded was accurate?</p> <p>12       A   Giving -- giving instruction to</p> <p>13 the directors of each one of these</p> <p>14 warehouses and then following up to make</p> <p>15 sure it was completed with them reporting</p> <p>16 what was put onto blocked inventory and</p> <p>17 left as unrestricted inventory while also</p> <p>18 providing the number of hours that were</p> <p>19 completed for me to confirm that the audit</p> <p>20 was completed.</p> <p>21       Q   Have you independently verified</p> <p>22 that -- what those employees or directors</p> <p>23 told you was correct?</p> <p>24       A   I can't independently verify</p> <p>25 that.</p>	<p style="text-align: right;">Page 69</p> <p>1           JAEGER</p> <p>2       Q   Has Medline as its -- as an</p> <p>3 organization -- undertaken to verify that</p> <p>4 its own audit was correct?</p> <p>5       A   No. Just the audit itself was</p> <p>6 correct or was completed. No secondary</p> <p>7 audit was completed.</p> <p>8       Q   Do you know if the Medline</p> <p>9 directors to whom you gave directions</p> <p>10 checked the work of their employees</p> <p>11 themselves?</p> <p>12       A   I cannot confirm.</p> <p>13       MR. SPERBER: No further</p> <p>14 questions.</p> <p>15       (Whereupon, at 3:47 p.m., the</p> <p>16 examination of this witness was</p> <p>17 concluded.)</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>



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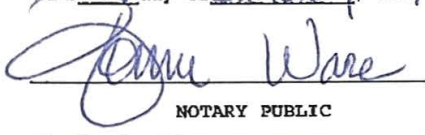
## DECLARATION

I hereby certify that having been first duly sworn to testify to the truth, I gave the above testimony.

I FURTHER CERTIFY that the foregoing transcript is a true and correct transcript of the testimony given by me at the time and place specified hereinbefore.

  
BRAD JAEGER

Subscribed and sworn to before me

this 4 day of January, 2023.  
NOTARY PUBLIC

## OFFICIAL SEAL

JOANNE WARE

Notary Public, State of Illinois

Commission No. 880460

My Commission Expires August 14, 2026

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STATE OF NEW YORK )

: SS.:

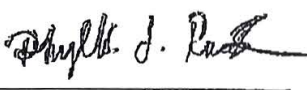
COUNTY OF KINGS )

I, PHYLLIS F. RUSSEK, a Notary Public for and within the State of New York, do hereby certify:

That the witness whose examination is hereinbefore set forth was duly sworn and that such examination is a true record of the testimony given by that witness.

I further certify that I am not related to any of the parties to this action by blood or by marriage and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of November, 2023.

  
PHYLLIS F. RUSSEK

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JAEGER

## EXHIBITS

## MEDLINE EXHIBITS

EXHIBIT	EXHIBIT	PAGE
NUMBER	DESCRIPTION	
A	Spreadsheet	16
B	Spreadsheet / photos	29
C	Spreadsheet	33
D	Spreadsheet	40
E	Spreadsheet	41
F	E-mail	62
G	Photos	64

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## Errata Sheet

NAME OF CASE: KITCHEN WINNERS NY INC. -against- ROCK FINTEK LLC

DATE OF DEPOSITION: 11/16/2023

NAME OF WITNESS: BRAD JAEGER

## Reason Codes:

1. To clarify the record.
2. To conform to the facts.
3. To correct transcription errors.

Page 17 Line 8 Reason 3  
From "Medline QC" to Medline DC  
Page 30 Line 7,12,24 Reason 3  
From "Great Lake" to Grayslake  
Page 31 Line 3-4 Reason 3  
From "Great Lake" to Grayslake  
Page 38 Line 4 Reason 3  
From "Great Lake" to Grayslake  
Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_  
From \_\_\_\_\_ to \_\_\_\_\_  
Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_  
From \_\_\_\_\_ to \_\_\_\_\_  
Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_  
From \_\_\_\_\_ to \_\_\_\_\_

